

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

In Re: Overby-Seawell Company
Customer Data Security Breach
Litigation

Case No. 1:23-md-03056-SDG

**PLAINTIFF KATHY KEEFER’S MOTION FOR
FINAL APPROVAL OF CLASS ACTION SETTLEMENT**

Plaintiff Kathy Keefer (“Plaintiff”) submits this Motion for Final Approval of Class Action Settlement in connection with the Settlement between Plaintiff and Defendant Fulton Bank, N.A., which was preliminarily approved by this Court on May 11, 2023.

1. Plaintiff respectfully requests that the Court enter an order: (i) granting final approval of the Settlement Agreement; (ii) ordering final certification of the Settlement Class for settlement purposes; (iii) finding that the Notice Program was carried out as required by the Preliminary Approval Order and that the notice to the Class was sufficient; (iv) appointing Plaintiff Kathy Keefer as Class Representative; and (v) appointing Ben Barnow of Barnow and Associates, P.C. as Class Counsel.

2. The relief sought in this Motion is supported by the Memorandum in Support (submitted herewith), the Declaration of Ben Barnow, attached to this

Motion as Exhibit 1, the Declaration of Jay Geraci, attached hereto as Exhibit 2, and the Proposed Order submitted herewith.

3. This motion will be heard at the Final Approval Hearing, which is set for September 6, 2023, at 2:00pm EST.

WHEREFORE, Plaintiff Kathy Keefer respectfully requests that the Court grant final approval of the Settlement Agreement, order final certification of the Settlement Class for settlement purposes, find that the Notice Program was carried out as required by the Preliminary Approval Order and that the notice to the Class was sufficient, appoint Plaintiff Kathy Keefer as Class Representative, and appoint Ben Barnow of Barnow and Associates, P.C. as Class Counsel.

Dated: August 23, 2023

Respectfully submitted,

/s/ Ben Barnow

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Counsel for Plaintiff Kathy Keefer

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was filed and served via the Court's electronic case filing system on August 23, 2023, on all counsel of record.

/s/ Ben Barnow
Ben Barnow